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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/701,472	11/06/2003	Dale M. Brown	124630	8576	
6147	7590 11/04/200:		EXAM	EXAMINER	
GENERAL ELECTRIC COMPANY GLOBAL RESEARCH PATENT DOCKET RM. BLDG. K1-4A59			GABOR,	GABOR, OTILIA	
			ART UNIT	PAPER NUMBER	
NISKAYUN	NA, NY 12309		2884		
•			DATE MAILED: 11/04/2009	•	

Please find below and/or attached an Office communication concerning this application or proceeding.

## Diffice Action Summary 10/701.472			Application No.	Applicant(s)			
Examiner Citila Cabor 2884 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provision of 37 CFR 1.136(a), in no event, however, may a raply be timely filled. If NO period to reply septicible to the provision of 37 CFR 1.136(a), in no event, however, may a raply be timely filled. If NO period to reply septicible to reply with the provision of 37 CFR 1.136(a), in no event, however, may a raply be timely filled. Set 11 the provision of t	Office Action Summary		10/701,472	BROWN ET AL.			
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DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It erroneously identifies Application 09/973,432 as the parent application to which priority is claimed. The correct Application is 09/793,432.

Specification

2. The abstract of the disclosure is objected to because the word "overlapping" is misspelled (it is identified as "overlap ping"). Correction is required. See MPEP § 608.01(b).

Claim Objections

3. Claim 25 is objected to because of the following informalities: "An system" should be --A system--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 25 is rejected under 35 U.S.C. 102(e) as being clearly anticipated by Cusack et al. (U. S. Patent 6,135,760) or VonDrasek et al. (U. S. Patent 6,244,857).

Cusack as well as VonDrasek disclose a system for monitoring a combustion flame, the system comprising means for monitoring an optical emission spectrum of the combustion flame in at least one bandwidth associated with one impurity (OH) and means for generating an impurity signal indicative of the presence or absence of the at least one impurity.

Allowable Subject Matter

- 6. Claims 1-24, 26-27 are allowed.
- 7. The following is a statement of reasons for the indication of allowable subject matter: There is no evidence in the prior art searched of a flame monitoring and flame temperature determining system where the temperature of the flame is determined from the ratio of the first and second integrated intensities, which intensities are generated by the at least two photodetectors in the system having different overlapping bandwidths in the UV emission band. Prior references, such as VonDrasek (6,244,857) disclose generating integrated intensities, however, it does not disclose taking the ratio of the generated integrated intensities obtained by two detectors with different and overlapping

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bandwidths in the UV emission band, in order to obtain the temperature of the flame monitored.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Otilia Gabor whose telephone number is 571-272-2435. The examiner can normally be reached on Monday-Friday between 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta can be reached on 571-272-2444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Otilia Gabor Primary Examiner

Art Unit 2884

OTILIA GABOH PRIMARY EXAMINER